

PROCESS SERVERS - AGE RESTRICTIONS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jon J. Greiner

House Sponsor: _____

LONG TITLE

General Description:

This bill changes the minimum age requirement for serving process from 18 to 21.

Highlighted Provisions:

This bill:

- changes the age requirement for process servers from 18 to 21.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78B-8-302, as renumbered and amended by Laws of Utah 2008, Chapter 3

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-8-302** is amended to read:

78B-8-302. Process servers.

(1) Complaints, summonses, and subpoenas may be served by any person ~~[18]~~ 21 years of age or older at the time of service, and who is not a party to the action or a party's attorney.

(2) The following persons may serve all process issued by the courts of this state:

(a) a peace officer employed by any political subdivision of the state acting within the



scope and jurisdiction of his employment;

(b) a sheriff or appointed deputy sheriff employed by any county of the state;

(c) a constable, or the constable's deputy, serving in compliance with applicable law;

and

(d) an investigator employed by the state and authorized by law to serve civil process.

(3) Private investigators licensed in accordance with Title 53, Chapter 9, Private Investigator Regulation Act, may only serve the following forms of process:

(a) petitions;

(b) complaints;

(c) summonses;

(d) supplemental orders;

(e) orders to show cause;

(f) notices;

(g) small claims affidavits;

(h) small claims orders;

(i) writs of garnishment;

(j) garnishee orders; and

(k) subpoenas duces tecum.

(4) Other persons may serve process as prescribed by Subsection (1).

(5) A person serving process shall legibly document the date and time of service and his name and address on the return of service.

Legislative Review Note
as of 2-8-08 2:48 PM

Office of Legislative Research and General Counsel

S.B. 266 - Process Servers - Age Restrictions

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments. Individuals under 21 years of age currently employed as process servers, and their employers, may be impacted by this bill.
